

EXHIBIT 8

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

IN RE:)
) Case No. 7:23-cv-00897
CAMP LEJEUNE WATER LITIGATION)
)
)
This Document Relates to:)
ALL CASES)
_____)

- - -
APRIL 3, 2025
- - -

Videotaped deposition of RODNEY KYLE
LONGLEY, Ph.D. conducted at The U.S. Department of
Justice, 411 W. Fourth Street, Suite 800, in Santa
Ana, California, commencing at 9:36 A.M. PST on the
above date before Pamela Cotten, CSR, RDR, Certified
Realtime Reporter, Certificate No. 4497.

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A P P E A R A N C E S:

For the Defense:

U.S. DEPARTMENT OF JUSTICE
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ALSO PRESENT:

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(Appearances continued on the following page)

A P P E A R A N C E S (Continued):

ALSO PRESENT REMOTELY VIA ZOOM:

JESSICA ANS, ESQ.
U.S. DEPARTMENT OF JUSTICE

SARA J. MIRSKY, ESQ.
U.S. DEPARTMENT OF JUSTICE
SHARON SPRAYREGEN, ESQ.
U.S. DEPARTMENT OF JUSTICE

LESLIE LaMACCHIA, ESQ.
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WHITNEY WALLACE, ESQ.
Wallace & Graham, P.A.

JAY BRIGHAM, Ph.D.
Morgan, Angel, Brigham & Associates, LLC
PETER C. JONES, M.A.
Senior Research Associate
Morgan, Angel, Brigham & Associates, LLC
ANNEMARIE MOORE, Ph.D.
Senior Research Associate
Morgan, Angel, Brigham & Associates, LLC
DENNIS REICH, ESQ.
PLG

1 A But, again, if that's the question, that's
2 easy to address.

3 Q Understood.

4 A But I would go back and say there was one
5 thing I would point out, Dr. Kelman, for example,
6 critiquing common knowledge about what life was like
7 on -- in terms of physical training and things like
8 that, a military historian would have no doubt that
9 that is common knowledge. You as a former officer
10 would have no doubt, that is just common knowledge.
11 But, again, I don't think he had an expertise in
12 military history or 20th Century history to be able
13 to understand. I wouldn't go back and critique him
14 on some of his 19th century choices.

15 Q That's fair enough.

16 A Yeah.

17 Q But would you be able to analyze his
18 historical methodologies for how he arrived at his
19 conclusions?

20 A I would to a point. For example, I would
21 question him wholeheartedly on how he determined how
22 I evaluated my oral history and bias and things like
23 that. Much like I would not question him on that, I
24 would trust him as a professional that he had
25 already made those decisions, and given the long

1 track record I have in that area, I would think he
2 would respect that.

3 Again, as I noted in Report 3, nobody has
4 ever came back and questioned my oral histories.

5 Q Would you say that the sources you relied
6 on, then, were biased in some way?

7 A All sources are biased.

8 Q Okay.

9 A Everything has been used and any -- whether
10 it is Dr. Kelman's work or wherever it may be, you
11 always have to try to ascertain what the bias is.
12 You have to understand the context of something --
13 for example, Dr. Kelman has never interviewed
14 someone that actually was alive for the event. He
15 interviewed people about their memory of the event.
16 He didn't interview anyone from the massacre in 1864
17 for the obvious reasons. So that's a different
18 beast than interviewing somebody about memory.

19 Q Interesting.

20 Did you address the potential biases
21 anywhere in your report?

22 A No. You do that in the -- when you are
23 evaluating the sources themselves. For example, a
24 government report depends on who is writing the
25 report. Is the Marine Corps writing the report? Is

1 the EPA writing the report? You try to do that to
2 the best of your ability throughout the process of
3 evaluating your research. And I think that's
4 something that I, you know -- again, anything can
5 have a bias. And, again, you got to contextualize
6 it. You can't put a document that is from the 1960s
7 and then try to use the current context to say that
8 1960s document within -- what is going on in 2025.
9 You wouldn't want to do that with DADT. "Don't Ask,
10 Don't Tell." It is a very different discussion in
11 the 1990s than it is in 2025, although it has almost
12 come full circle.

13 Q So I understand your point. My question is
14 did you describe that process anywhere in your
15 report?

16 A No. You don't do that. That's not
17 what's -- a description in a book or things of that
18 order. As a professional historian, it is
19 understood that you are going to be testing your
20 materials, much like I would not question
21 Dr. Kelman's oral history for his book on Sand Creek
22 the oral histories he did with National Park Service
23 because I know he understands that the National Park
24 system person that he interviewed extensively has a
25 bias because she is running the monument. And she

1 is also afraid of what could be interpreted, and so,
2 like with anything, you understand people a lot of
3 times what they say isn't always exactly what
4 they -- they always have that context in mind.

5 Q Okay.

6 MR. HUGHES: I'm going to ask that we go
7 off the record for a bit and talk. I've gotten some
8 texts from co-counsel, and I need to talk to y'all
9 about it off the record. Is that okay?

10 MS. HURT: Sure.

11 MR. GIBBONS: Yeah, can we wait just like
12 five minutes or is this urgent?

13 MR. HUGHES: They have a concern about
14 people that are showing up on the -- on the
15 attendance and they are highly concerned that this
16 reading of assistance, being on without advance
17 permission is not what leadership agreed to. So I
18 need to get you on the phone with them as soon as we
19 can.

20 MR. GIBBONS: Okay. All right. Let's take
21 a break. Give me one second.

22 VIDEO OPERATOR KELLEY: This is the end of
23 Media File Number 2. We are now going off the
24 record. The time is 11:21 a.m.

25 (Recess taken.)

1 VIDEO OPERATOR KELLEY: This is the
2 beginning of Media File Number 3. We are now going
3 on the record. The time is 11:36 a.m.

4 MR. HUGHES: This is John Hughes for the
5 plaintiffs. I'm putting on the record that from the
6 plaintiffs' point of view, the language in the
7 deposition protocol about attendance and the
8 language about assistance or people assisting the
9 litigation does not mean that automatically parties
10 can have experts attend depositions without advance
11 approval. We are fine with continuing this
12 deposition today with Dr. Brigham or people on his
13 team on the attendance. We ask that before the next
14 deposition of an expert that the lead counsel talk
15 to each other and see if they can work out a
16 protocol for that.

17 What we suggest is that the protocol would
18 be that if either side wants to have experts on
19 depositions of other experts, that they give advance
20 notice so there's notice and consent.

21 And so that is my statement for the record.
22 And I understand that Mr. Gibbons' position is that
23 the plaintiffs themselves have had experts on one or
24 more occasions without advance consent and so he is
25 not willing to agree to a protocol right now, but

1 Maslia, a retained expert of the plaintiffs,
2 attended the expert depositions of Remy Hennet and
3 Alex Spiliotopoulos with no prior coordination, and
4 the United States did not object then. The United
5 States maintains that any person who is assisting in
6 litigation includes experts attending all other
7 expert depositions.

8 MR. HUGHES: Okay. Thanks for letting me
9 speak, and I understand what you said.

10 You want to continue with your questioning?

11 MR. GIBBONS: Sure.

12 BY MR. GIBBONS:

13 Q Dr. Longley, I apologize for that. I
14 believe we were talking about bias and sources, oral
15 histories, or other materials. I would like to go
16 back to that.

17 I believe you said that your position is
18 that a professional historian does not need to
19 explain in detail how they evaluated their sources
20 for bias because it is an inherent part of a
21 historian's practice. Is that correct?

22 A That is correct.

23 Q And as we've already discussed, the
24 targeted readers for this report are not generally
25 other historians but primarily the Court.

1 don't have -- many of them don't have
2 Ph.D.s but they are still
3 practicing.")

4 THE WITNESS: So I don't think I made any
5 kind of -- again, Bob Caro does not have a Ph.D. nor
6 does Meacham nor does Doris Kearns Goodwin, but most
7 people would recognize them as -- David McCullough.
8 I can give you a whole litany. So I wouldn't say
9 they had to have a Ph.D. You can be a good
10 researcher without a Ph.D. and so that is not a
11 qualification that obviously has to be there.

12 BY MR. GIBBONS:

13 Q Okay. I understand. Sorry. Maybe I
14 misinterpreted your answer. I apologize.

15 A No apologies necessary. I just didn't
16 think I had said that. If my membership found out
17 that I had said something like that, they would come
18 find me.

19 Q You acknowledged in several of your books,
20 I think specifically in Grunts, that bias always
21 enters into the process as we discussed earlier,
22 correct?

23 A Correct.

24 Q Okay.

25 A And, again, you try to test that bias and

1 again through corroboration, understanding it's
2 there, and cognizant of it, but then weighing that
3 against a variety of factors.

4 (The document referenced below
5 was marked Deposition Exhibit 9 for
6 identification and is appended
7 hereto.)

8 BY MR. GIBBONS:

9 Q I'm going to enter Exhibit 9. What is
10 going to be Exhibit 9 is an excerpt from Grunts,
11 American Combat Soldier in Vietnam.

12 You authored this book, correct?

13 A Yes.

14 Q Do you recognize this passage from your
15 book?

16 A Which one?

17 Q This entire page. Do you --

18 A Yes, I recognize the page. I'm sorry. I
19 thought you were already referring to something
20 specific.

21 Q Okay. Okay. Beginning on Roman numeral XX
22 of the text toward the end, the last paragraph says:

23 "There are many challenges in the
24 use of materials employed in the
25 study. Oral histories and memoirs,